REMARKS

Applicant thanks the Examiner for the very thorough consideration given the present application. Claims 1-9 and 11-22 are now pending in the application. Claim 10 is cancelled and Claim 22 is added by this amendment. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

CLAIM REJECTIONS – 35 U.S.C. §102

Claims 1-4, 6-12 and 14-21 stand rejected under 35 U.S.C. §102(b), as being clearly anticipated by Banner. This rejection is respectfully traversed.

At the outset, claim 1 recites "a system for providing a signal to an individual to indicate that said fire extinguishing medium is being communicated through said supply line to said nozzle."

In contrast, Banner et al. is directed to an automatic fire extinguishing system. Of particular interest, Banner et al. discloses that in a fire situation, heat or smoke closes a sensor circuit back to the circuit terminals 8 to actuate the electric valves to begin the flow of the extinguisher agents. (Col 4, lines 65-68 to Col. 5, lines 1-5 and Figure 1). According to claim 1, a signal is provided once the fire extinguishing medium is communicated through the supply line to the nozzle, thereby enabling easy identification of whether the fire suppression system has been activated. Therefore, a separate circuit to detect smoke or heat is not necessary, as only the system monitoring fluid communication is needed. Banner et al. fails to teach or suggest a system that provides

a signal when the extinguishing medium is being communicated through the supply line to the nozzle.

Regarding independent claim 9, Applicant has amended claim 9 to now recite "providing a primary supply and a secondary supply, wherein fluid from said primary supply is evacuated prior to fluid from said secondary supply being released therefrom, and wherein said secondary supply is evacuated when the fluid from said primary supply is empty and additional fluid is necessary to extinguish said fire." In contrast, Banner et al. discloses a first tank 15 and a second tank 46 that operate from separate electric valves 25 and 26, where one or more nozzles handle different extinguisher agents for putting out different kinds of fires. As such, it appears that Banner et al. only evacuates the fluid from the tank holding the appropriate extinguisher agent for the particular fire (Col. 5, lines 36-41 and lines 56-58). The present invention includes a sophisticated system that includes a primary and a secondary supply of fluid, where the fluid is evacuated from the primary supply prior to the secondary supply. This allows a continuous and extended flow of fluid until the fire is extinguished. Banner et al. does not teach or suggest a system having a primary supply and a secondary supply, wherein fluid from the primary supply is evacuated prior to fluid from the secondary supply being released.

Regarding independent claim 17, claim 17 has been amended to now recite "a cabin attendant alert system in the aircraft for informing the user that said valve is in said open position." Banner et al. does not mention having a cabin attendant alert system in an aircraft. The cabin attendant alert system may alert the cabin attendants in the aircraft that the valve has been opened, for various reasons.

Therefore, it is respectfully submitted that independent claims 1, 9 and 17, along with claims depending either directly or indirectly therefrom, are now patentable and in condition for allowance.

Claims 9, 11, 14 and 15 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by Finnigan. This rejection is respectfully traversed.

Applicant notes that claim 9 has been amended as described above. In contrast, Finnigan '637 discloses a water or supply pipe 102 connected through solenoid valve 60 and a three-way valve 104 (Col. 6, lines 4-7 and Figure 3). Finnigan '637 does not teach or suggest a system having a primary and a secondary supply of fluid that evacuates fluid from the primary supply prior to evacuating fluid from the secondary supply. It appears that Finnigan '637 only teaches using one supply source to extinguish a fire. Claim 9 includes a system with a primary and a secondary supply source, where the secondary supply source may supply a second source of an extinguishing fluid, such that it may, for example and not limiting, act as a backup supply when the primary supply source is empty and additional fluid is necessary to extinguish the fire.

Therefore, it is respectfully submitted that independent claim 9, along with claims 11, 14 and 15 depending therefrom, are now patentable and in condition for allowance.

Claims 1-3, 6-11 and 14-16 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by Enk. This rejection is respectfully traversed.

As discussed above, claims 1 and 17 recite a signal system to signal that fluid is flowing or being communicated. In contrast, Enk '394 generally is directed to a fire protection system. Of particular interest, Enk '394 discloses several sensors located

within a designated fire zone area, which open at temperatures that are deemed to be safe and close at a designated temperature level. In operation, when an alarm condition occurs, the sensors are closed, which trigger a switch assembly to provide a warning to an operator. Enk '394 fails to teach or suggest a system that provides a signal to an individual when the extinguishing medium is being or has been communicated through the supply line to the nozzle. Enk '394 warns an operator once the sensors determine that an alarm condition has occurred and not when the extinguishing medium is flowing or has flowed through the supply line to the nozzle.

Therefore, it is respectfully submitted that independent claims 1 and 17, along with claims depending therefrom, are now patentable and in condition for allowance.

Applicant notes that claim 9 has been amended as described above. In contrast, Enk '394 discloses containers 28 and 29 that are stored with extinguishant material which is delivered through the flow lines 26 and 27 and an additional container 30 for receiving and securing a supply of fire extinguishant material. Enk '394 does not teach releasing extinguishant material from containers 28 and 29 onto a fire before depleting container 30 claimed in the present application. Specifically, Enk '394 fails to teach or suggest a system having a primary supply and a secondary supply, wherein fluid from the primary supply is evacuated prior to fluid from the secondary supply being released therefrom.

Therefore, it is respectfully submitted that independent claim 9, along with claims depending therefrom, are now patentable and in condition for allowance.

Claims 1, 3-9, 11-17 and 19-21 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by Beukema et al. This rejection is respectfully traversed.

As discussed above, claims 1 and 17 recite a system to signal the flowing or communication of a fluid or for extinguishing material. In contrast, Beukema et al. appears to generally be directed to a fire protection sprinkler system. Of particular interest, Beukema et al. discloses that in the event of a fire, one or more detectors is actuated or an emergency switch is operated manually to send a control signal to a control panel that sends an actuating signal to a solenoid, which controls a solenoid control valve to open the valve and fill the sprinkler line with water and actuate the fire alarm bell (Col. 2, lines 56-63). Beukema et al. does not teach or suggest providing a signal to an individual to indicate that the fire extinguishing medium is being communicated through the supply line to the nozzle. Beukema et al. sets the fire alarm bell once the detectors detect the fire and not when the extinguishing medium is being communicated through the supply line to the nozzle as presently claimed.

Applicant notes that claim 9 has been amended as described above. In contrast, Beukema et al. discloses that the sprinkler line 10 is connected to a water supply line 14 through a manual isolating valve. Beukema et al. does not teach or suggest having primary and the secondary supply of fluid as claimed; rather, Beukema et al. only discloses one water supply source. Furthermore, Beukema et al. does not teach or suggest a method of evacuating the fluid from the primary supply prior evacuating the fluid from the secondary supply, and wherein the secondary supply is evacuated when extended fluid flow is necessary.

Therefore, it is respectfully submitted that independent claim 9, along with claims depending therefrom, are now patentable and in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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Michael L. Taylor, Reg. No. 50,521
Attorney for Applicants

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, MI 48303
(248) 641-1600

MLT/MCC/ca